

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID A. HANO,

Plaintiff

v.

STATE OF NEVADA, *et al.*,

Defendants.

Case No. 2:19-cv-02246-GMN-EJY

ORDER

Pending before the Court is Plaintiff's Notice to Court to Seek an Order Asking the Attorney General's Office to Attempt to Identify Unserved Defendant Mary. ECF No. 66. The Court has considered Plaintiff's Notice and Defendants' Response (ECF No. 71). No Reply was filed. In Defendants' Response it identifies Defendant Mary as Nurse Mary Manalastas, which Defendant contends renders Plaintiff's Notice moot. *Id.* at 2. The Court agrees; however, Defendants' Response does not indicate whether the Attorney General's Office will accept service of process for this newly identified Defendant.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Notice to Court to Seek an Order Asking the Attorney General's Office to Attempt to Identify Unserved Defendant Mary (ECF No. 66) is DENIED as moot.

IT IS FURTHER ORDERED, however, that **no later than May 3, 2021**, the Office of the Attorney General shall file a notice with the Court stating whether the Attorney General's Office will accept service of Plaintiff's operative Complaint and the Order granting, in part, Plaintiff's Motion for Preliminary Injunction on behalf of Mary Manalastas. If the Attorney General's Office cannot accept service, the Attorney General's Office shall file, under seal, and shall not serve Plaintiff, the last known address for Ms. Manalastas. If the last known address of the defendant is a post office box, the Attorney General's Office shall attempt to obtain and provide the last known physical address.

1 IT IS FURTHER ORDERED that if the Attorney General's Office accepts service of process
2 on behalf of Mary Manalastas, Ms. Manalastas' response to Plaintiff's Complaint shall be due 30
3 days thereafter.

4 Dated this 23rd day of April, 2021.

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6 ELAYNA J. YOUCHAK
7 UNITED STATES MAGISTRATE JUDGE
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